

# ATLANTA CITY COUNCIL

## ACTION MINUTES

### JULY 02, 2012

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, July 02, 2012. The Meeting convened at 1:17 p.m. in Atlanta City Hall's Council Chamber. The roll was called and a quorum was declared.

**PRESIDER(S):** The Honorable Council President Ceasar C. Mitchell presided.

**Attendance:** The following (12) voting members were present at the Meeting:

<b>The Honorable Carla Smith</b>	<b>The Honorable Howard Shook</b>
<b>The Honorable Kwanza Hall</b>	<b>The Honorable Yolanda Adrean</b>
<b>The Honorable Ivory Lee Young, Jr.</b>	<b>The Honorable Felicia A. Moore</b>
<b>The Honorable Cleta Winslow</b>	<b>The Honorable C. T. Martin *1:19</b>
<b>The Honorable Natalyn Archibong</b>	<b>The Honorable Michael J. Bond *1:50</b>
<b>The Honorable Alex Wan</b>	<b>The Honorable H. Lamar Willis *1:47</b>

*Councilmembers Keisha Lance Bottoms (Absent with Notice), Aaron Watson (Absent with Notice) and Joyce M. Sheperd were absent.*

**\* Indicates arrivals (with time noted) occurring after convening roll call.**

**INVOCATION:** Reverend Joanna Adams, pastor emerita of Morningside Presbyterian Church and Imam Plemon El-Amin, imam emeritus of the Atlanta Masjid of Al-Islam gave the invocation.

**PLEDGE OF ALLEGIANCE:** In unison, the Council recited the Pledge of Allegiance to the flag of the United States of America.

**REPORT OF THE JOURNAL:** Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council that the **Action/Minutes** of the **Atlanta City Council's June 18, 2012** Regular Meeting were true and correct. The Minutes were **FILED** without objection.

**ADOPTION OF AGENDA:** A Motion was made to Adopt the Agenda. It was properly **Seconded** and the **Motion CARRIED** by a roll call vote of **12 yeas**; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); **0 nays**.

# **COMMUNICATIONS**

Council President Ceasar C. Mitchell Presided

**COMMUNICATIONS**

- 12-C-0902 ( 1)      A Communication by **Chief Procurement Officer Adam L. Smith** submitting the corrected copy of June 2012 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.  
**FILED WITHOUT OBJECTION**
- 12-C-0959 ( 2)      A Communication by **Councilmembers Ivory Lee Young, Jr., District 3; Cleta Winslow, District 4 and Michael Julian Bond, Post 1 At-Large** appointing Mr. Calvin Lockwood to serve as a member of the Zoning Review Board.  
**REFERRED TO ZONING REVIEW BOARD AND COMMITTEE ON COUNCIL WITHOUT OBJECTION**

## **VETOED LEGISLATION**

**Council President Ceasar C. Mitchell Presided**

**VETOED LEGISLATION**

**NONE**

## **UNFINISHED BUSINESS**

Council President Ceasar C. Mitchell Presided

**UNFINISHED BUSINESS**

12-O-0662 ( 1)      An Ordinance by **Finance/Executive Committee as Substituted by Full Council** to amend Section 146-26 (f), of the Code of Ordinances of the City of Atlanta, so as to change the Special Tax District (Library) Levy; to provide that the Tax Rate established herein shall remain fixed each year until amended or repealed; and for other purposes.

**At the Regularly Scheduled Meeting held June 18, 2012, ordinance 12-O-0662 was Tabled by a roll call vote of 12 yeas; 0 nays. During this meeting, Municipal Clerk Rhonda Dauphin Johnson sounded the caption to the item. Following, Councilmember Moore was recognized and made a Motion to remove 12-O-0662 from the Table. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays. The ordinance was before Council. Ms. Moore then made a Motion to bring forth a Substitute. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays. The Substitute was before Council. Subsequently, Councilmember Moore made a Motion to Adopt on Substitute. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Shook offered an Amendment by striking the 1<sup>st</sup> Whereas Clause in its entirety. It was properly Seconded and CARRIED by a roll call vote of 12 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays. Thereafter, Councilmember Shook made a Motion to Adopt on Substitute as Amended. It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 11 yeas; 1 nay.**

**ADOPTED SUBSTITUTE AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin and Willis); 1 NAY; (Councilmember Bond)**

# **CONSENT AGENDA SECTION I**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

There was no separate discussion of the following items with the exception of item 12-R-0888 which was removed from the Consent Agenda, and considered separately per Rules for the Conduct of Business of the Council of the City of Atlanta (As Amended), Rule XI; Order of Business, SECTION 11.2; Consent Agenda.

**CONSENT AGENDA SECTION I, as follows, received Favorable Recommendations in each Committee and all items were collectively Adopted by a single roll call vote in accordance with Section 11.2 of the Rules of Council as follows: 12 Yeas** (*Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis*); **0 Nays.**

**SECTION I**

**ORDINANCES FOR SECOND READING**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**MICHAEL J. BOND, CHAIR**

- 12-O-0899 ( 1)      An Ordinance by **Councilmember Felicia A. Moore** to ratify and affirm the purchase and sale agreement establishing the terms and conditions of purchase by the City of Atlanta of real property for the purpose of constructing a new Fire Station 22 located at 843 and 855 Hollywood Road in Land Lot 176 of the 14<sup>th</sup> District, Fulton County, Georgia; to ratify and affirm the acquisition of such property in an amount not to exceed \$443,363.58; costs associated with the acquisition to be paid from Fund, Department Organization and Account Number and PTAE0 Number listed; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 12-O-0672 ( 2)      An Ordinance by **Transportation Committee** to prohibit left turn movements from a driveway on the north side of Brady Avenue, NW at Howell Mill Road, NW; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

- 12-O-0454 ( 3)      An Ordinance by **Councilmember Alex Wan** to provide for the Annexation of Property located at 1206 McLynn Avenue to the Corporate Limit of the City of Atlanta, Georgia pursuant to the 100% Method; to authorize the Law Department to seek preclearance from the United States Department of Justice and to notify the Georgia Department of Community Affairs of such Annexation; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0819 ( 4)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2013 Budget by adding to Anticipations and Appropriations in the amount of \$4,857,500.00, to be used for the acquisition of equipment for the Atlanta Fire Rescue Department pursuant to the 2008 Master Lease Option Agreement between the City of Atlanta and the Georgia Municipal Association, Inc.; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0820 ( 5)      A **Substitute** Ordinance by **Finance/Executive Committee** to repeal Ordinance Number 12-O-0242 Adopted by the Atlanta City Council on March 19, 2012 and Approved as per City Charter Section 2-403 on March 28, 2012, pertaining to transferring funds from a Trust Account to the General Fund for the purpose of Upgrading Computer Systems and Payment of Software Licensing Fees for the Office of Buildings; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0833 ( 6)      A **Substitute** Ordinance by **Finance/Executive Committee** to reprogram the remaining balance of \$475,510.00 in the Trust Account Numbers listed, established for the purpose of holding pre-payments for low voltage permits to the Office of Buildings Technology Trust, to the Trust Account Numbers listed; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

12-O-0391 ( 7)

A **Substitute** Ordinance by **City Utilities Committee** to fix a schedule for monthly water and sewer rates and charges for the City of Atlanta, Georgia, as authorized by Chapter 154, Article III, Division 3, Sections 154-111 and 154-112 (Water Rates and Charges) and Chapter 154, Article V, Division 3, Sections 154-276 and 154-227 (Sewer Rates and Charges) for the time period beginning July 1, 2012 and terminating June 30, 2016; to establish a formula for fixing rates after June 30, 2016, when not otherwise established by Atlanta City Council; and pursuant to Atlanta City Code Chapter 154, Article III, Division 3 (Rates, Charges and Related Matters), Sections 111 (Authority to Fix Water Rates) and 112 (Established) to set a separate rate for customers with meters or devices that have been granted exemptions from the sewer services charge pursuant to Atlanta City Code Chapter 154, Article V, Division 3 (Rates and Charges), Section 277, (Sewer Service Charge), Subsection (E), to encourage conservation of water resources; and for other purposes. **(Public Hearing held 5/1/12)**

**Note:** Later during the meeting, a Motion to send ordinance 12-O-0391 to the Mayor's Office Post Haste with the implied request that the Mayor take immediate action regarding this item. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; (Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Moore, Martin, Bond, and Willis; 0 nays.

**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**  
**JOYCE SHEPERD, CHAIR**

- 12-O-0813 ( 8)      An Ordinance by **Community Development/Human Resources Committee** amending the 2012 (WIA Adult Job Training Fund) Budget, Atlanta Workforce Development Agency, passed in Ordinance 11-O-1769, adopted by the Atlanta City Council on December 5, 2011 and approved as per City Charter Section 2-403 on December 14, 2011, by adding to anticipations and appropriations in the amount of \$22,007.00 to reflect an increase in the grant amount to \$1,671,697.00 in the Workforce Investment Act Adult Job Training Fund from the Georgia Department of Labor to provide job training and other skills to local adult workers; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0814 ( 9)      An Ordinance by **Community Development/Human Resources Committee** amending the 2012 (WIA Dislocated Worker Job Training Fund) Budget, Atlanta Workforce Development Agency, passed in Ordinance 11-O-1770, adopted as amended by the Council on December 5, 2011 and approved as per City Charter Section 2-403 on December 14, 2011, by adding to anticipations and appropriations in the amount of \$11,482.00 to reflect an increase in the grant amount to \$872,183.00 in the Workforce Investment Act Dislocated Worker Job Training Fund from the Georgia Department of Labor, to provide job training and other skills to local dislocated workers; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 11-O-0945 (10)      An Ordinance by **Councilmembers Aaron Watson, H. Lamar Willis and Michael J. Bond as Substituted by Community Development/Human Resources Committee** authorizing the City of Atlanta to waive the Competitive Procurement Provisions contained in Article X, Procurement and Real Estate Code of the City of Atlanta Code of Ordinances, to authorize the Mayor, on behalf of the City of Atlanta ("City"), to negotiate for and to accept the dedication of approximately 1.58 acres of property adjacent to Historic Fourth Ward Park for Park Land; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 12-O-0810 (11) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2012 (Intergovernmental Grant Fund) Budget by adding to anticipation and appropriations the amount of \$184,500.00 in grant funds awarded by the Coalition to End Childhood Lead Poisoning as part of the Lead Hazard Control Grant Program in connection with the City of Atlanta's Green and Healthy Home Initiative; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0811 (12) An Ordinance by **Community Development/Human Resources Committee** amending the 2012 (Community Development Block Grant Fund) Budget by re-appropriating and anticipating funds allocated to Neighborhood Stabilization Program 3 Projects in the amount of \$683,936.50; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0812 (13) A **Substitute** Ordinance by **Community Development/Human Resources Committee** amending the 2010 (Intergovernmental Fund) Budget by adding to anticipations and appropriations Neighborhood Stabilization Program, Program Income in the amount of \$1,252,575.00 for the purpose of funding the Neighborhood Stabilization Program; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0896 (14) An Ordinance by **Councilmembers Kwanza Hall and Michael Julian Bond** authorizing the Director of the Office of Buildings, to grant Park and Recreation Impact Fee Credits in an amount not to exceed \$195,000.00, as shall be more particularly determined pursuant to the City of Atlanta Development Impact Fee Ordinance, in connection with the offer of dedication to and acceptance by the City of Atlanta of 1.58 acres of Land adjacent to the Historic Fourth Ward Park for park land purposes authorized under Ordinance 11-O-0945; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**ORDINANCES FOR SECOND READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

12-O-0455 (15) An Ordinance by **Councilmember Alex Wan** to amend the Land Use Element of the 2011 City of Atlanta Comprehensive Development Plan (CDP) so as to designate property at **1206 McLynn Avenue** to the "Single-Family Residential" Land Use Designation; and for other purposes. **(CDP Public Hearing held 6/11/12)**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

12-O-0558 (16) A **Substitute** Ordinance by **Community Development/Human Resources Committee** to amend the Land Use Element of the 2011 Atlanta Comprehensive Development Plan (CDP) so as to re-designate property that is located at **77 East Andrews Drive, NW (Tract Two)**, from the "Medium Density Residential" Land Use Designation to the "High Density Residential" Land Use Designations (Z-12-07); and for other purposes. **(CDP Public Hearing held 6/11/12)**

NPU-B

Council District 8

**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**RESOLUTIONS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**  
**MICHAEL J. BOND, CHAIR**

12-R-0887 ( 1) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Joanne C. Smith v. City of Atlanta, Civil Action File Number 1:11-CV-1956-CAP, United States District Court, Northern District of Georgia, Atlanta Division in the amount of \$80,000.00; authorizing said payment of \$80,000.00 to be charged to and paid from Fund, Center Number, Account and Functional Activity Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**MICHAEL J. BOND, CHAIR**

- 12-R-0888 ( 2)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a new Lease Agreement with Vine City Plaza I, LLC, for the rental of 1707 square feet of office space located at 612 Magnolia Street, Atlanta, Georgia, for the Department of Police Zone One Investigations Mini Precinct, from the period of September 1, 2012, until August 31, 2015, at a rental rate of \$1.00 for the year, to be charged to and paid from Fund, Account and Center Number listed; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Young.**

**SEE PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE REPORT**

**TRANSPORTATION COMMITTEE**

**C. T. MARTIN, CHAIR**

- 12-R-0880 ( 3)      A Resolution by **Transportation Committee** authorizing the Mayor to execute a Reimbursable Agreement with the Atlanta Airlines Terminal Corporation, for the Vertical Transportation Upgrades, Phase 3 for a cost not to exceed \$38,014,725.00 to be charged to and paid from the Account Numbers listed; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

- 12-R-0881 ( 4)      A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-A, Architectural and Engineering Design Services, with Hartsfield Support Services Team in an amount not to exceed \$2,500,000.00; to provide services for Concourse T Gate Layout at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAE0 and FDOA Numbers listed; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**TRANSPORTATION COMMITTEE (CONT'D)**

**C. T. MARTIN, CHAIR**

- 12-R-0882 ( 5)      A Resolution by **Transportation Committee** authorizing the Mayor to execute an Agreement with Air Data, Inc., for Project Number FC-5759, On-Call HVAC-Testing, Adjusting and Balancing Services at Hartsfield-Jackson Atlanta International Airport, in an amount not to exceed \$75,000.00; to provide Professional HVAC-Testing, Adjusting and Balancing Services. All services will be charged to and from the PTEAO and FDOA Numbers listed; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0883 ( 6)      A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-E, Architectural and Engineering Design Services, with ASCEND, LLC, in an amount not to exceed \$1,000,000.00; to provide services for the North Deicing Facility Project at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAEAO and FDOA Numbers listed; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0884 ( 7)      A Resolution by **Transportation Committee** increasing the Compensation Limit and authorizing the Aviation General Manager or his designee to issue Task Orders under Contract No. FC-6006007929-D, Architectural and Engineering Design Services, with Hartsfield-Jackson Transportation Group, in an amount not to exceed \$540,000.00; to provide services for FC-5672, Airport Inbound Roadway Improvements Project at Hartsfield-Jackson Atlanta International Airport. All services shall be charged to and paid from the PTAEAO and FDOA Numbers listed; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**



Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

12-R-0875 ( 8) A **Substitute** Resolution by **Finance/Executive Committee** authorizing the Mayor, on behalf of the City, to enter into an appropriate Contractual Agreement with Lichty Commercial Construction, Inc., for FC-5525, Ben Hill Recreation Center Renovations & Addition, on behalf of the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$996,450.00; all contracted work shall be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

12-R-0876 ( 9) A Resolution by **Finance/Executive Committee** authorizing the Mayor, on behalf of the City of Atlanta to execute, Amendment Number 1 with Norred & Associates, Inc., for FC-5274, Citywide Armed and Unarmed Security Guard Services on behalf of the Executive Offices-Office of Enterprise Assets Management to add sites and funding for the Department of Parks, Recreation and Cultural Affairs in an amount not to exceed \$233,964.00; all contracted work to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

12-R-0897 (10) A Resolution by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** authorizing the re-employment of City retiree Ms. Gloria Peters in the Department of Planning and Community Development, Office of Buildings, as a Zoning Plan Review Specialist pursuant to Section 3-505 (c) of the Charter of the City of Atlanta, Georgia; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

12-R-0898 (11) A Resolution by **Councilmember C. T. Martin as Amended by Finance/Executive Committee** authorizing the re-employment of City retiree Ms. Ann S. Heard in the Department of Planning and Community Development, Office of Buildings, as an Office of Buildings Assistant Director pursuant to Section 3-505 (c) of the Charter of the City of Atlanta, Georgia; and for other purposes.

**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

- 12-R-0901 (12) A Resolution by **Finance/Executive Committee** authorizing the Chief Financial Officer to enter into a Contract Closeout Agreement with CH2M Hill, Inc. ("CH2M Hill") relating to claims resulting from Contract FC-4885, Revenue Discovery, pursuant to which the City of Atlanta ("City") will pay \$688,196.00 to CH2M Hill which will be charged to and paid from funds identified and collected pursuant to the contract; and for other purposes.  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 12-R-0696 (13) A Resolution by **Councilmember Natalyn M. Archibong as Substituted by City Utilities Committee** to authorize the Mayor or his designee to enter into a Consent Order with the Environmental Protection Division of the Department of Natural Resources of the State of Georgia and to authorize payment pursuant to the Consent Order in the amount of \$98,000.00 to resolve alleged violations of the Georgia Water Quality Control Act; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 12-R-0818 (14) A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into Contractual Amendments to Agreements for the purpose of completing Neighborhood Stabilization Program Projects with POHL Real Estate, LLC., in an amount not to exceed \$40,000.00; Environs Residential Design and Construction in an amount not to exceed \$50,000.00; and the Fulton County/City of Atlanta Land Bank Authority, Inc., in an amount not to exceed \$1,162,575.00; all work to be charged to and paid from accounts listed below; and for other purposes.  
**ADOPTED SUBSTITUTE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**MICHAEL J. BOND, CHAIR**

**Claims with favorable recommendations:**

- 12-R-0852 ( 1) Claim of **Yolanda Isom, through her attorneys, Delisa Williams, P. C. and Princewill O. Aneke, LLC (DPW/09)**, for bodily injury alleged to have been sustained from an automobile accident on December 6, 2011 at 1944 Donald Lee Hollowell Parkway. **\$6,500.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0853 ( 2) Claim of **Daniel Simmons (DWM/05)**, for property damages alleged to have been sustained from a sanitary sewer backup on May 16, 2010 at 1467 Woodbine Avenue. **\$5,500.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0854 ( 3) Claim of **Tonya Canty-Thacker (DWM/02)**, for bodily injury alleged to have been sustained after stepping into an open water meter on May 16, 2010 at 1080 Euclid Avenue. **\$5,868.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0855 ( 4) Claim of **Nicole Brinson (AFR/04)**, for property damage alleged to have been sustained from an automobile accident on October 11, 2011 at Metropolitan Parkway and Dill Avenue. **\$5,828.10**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0856 ( 5) Claim of **Kandyda Morton, through her attorney, Cynthia H, Miller, P. C. (DPM/04)**, for bodily injuries alleged to have been sustained from driving over an uncovered manhole on May 23, 2011 at 729 Cascade Avenue. **\$4,500.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0857 ( 6) Claim of **GEICO Insurance Company, as subrogee of James Adams (DPW/03)**, for property damage sustained as a result of a vehicular accident on August 18, 2011 at 73 Anderson Avenue. **\$3,659.57**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Cesar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**MICHAEL J. BOND, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 12-R-0858 ( 7)      Claim of **Quinn Tucker (APD/05)**, for property damage alleged to have been sustained from an automobile accident on March 22, 2012 at 2025 Hosea L. Williams Drive. **\$2,449.29**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0859 ( 8)      Claim of **Kathryne Deguardiola (DWM/11)**, for property damage alleged to have been sustained from driving over a metal plate on December 4, 2011 at 3182 Habersham Road. **\$1,955.08**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0860 ( 9)      Claim of **Amy Soeldner (AFR/09)**, for property damage alleged to have been sustained from an automobile accident on February 22, 2012 at 2315 Donald Lee Holloway Parkway. **\$1,641.03**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0861 (10)      Claim of **Kevin Adkins, through his attorney, Delisa Williams, P.C. (DPW/09)**, for bodily injury alleged to have been sustained from an automobile accident on December 6, 2011 at 1944 Donald Lee Holloway Parkway. **\$1,300.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0862 (11)      Claim of **Monodeep Mitra (DWM/07)**, for property damage alleged to have been sustained after a sewer backup on February 26, 2012 at 709 East Paces Ferry Road. **\$1,285.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0863 (12)      Claim of **Patrick Onuoha (DWM/05)**, for property damage and personal injury sustained as a result of a vehicular accident on July 6, 2010 at Interstate 85 at Freedom Parkway. **\$1,224.57**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**

**MICHAEL J. BOND, CHAIR**

**Claims with favorable recommendations: (Cont'd)**

- 12-R-0864 (13) Claim of **Norman Andrews (APD/02)**, for property damage sustained as a result of a vehicular accident on January 14, 2012 at 275 Pryor Street. **\$1,007.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0865 (14) Claim of **Charles Smith (DPW/09)**, for property damage alleged to have been sustained from driving over a pothole on September 28, 2011 at Woods Drive and Bellview Avenue. **\$950.00**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0866 (15) Claim of **Dorothy Whatley (APD/10)**, for damage alleged to have been sustained from an automobile accident on May 7, 2012 at 2479 Abner Terrace. **\$932.25**  
**ADOPTED AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**Claims with unfavorable recommendations:**

- 12-R-0868 (16) Claim of **Teresa Culpepper, through her attorney, John Merchant (APD/03)**, for damages alleged to have been sustained as a result of an arrest on August 21, 2011 at 962 Ashby Circle.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0869 (17) Claim of **Alison Griswell, through her attorney, Michael S. Waldrop, Waldrop & Bootcheck, LLC (APD/07)**, for bodily injury alleged to have been sustained from an arrest on March 12, 2010 at Interstate 85 and Buford Highway.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0870 (18) Claim of **Jean Brown (NA/02)**, for property damage alleged to have been sustained as a result of striking the curb on June 23, 2011 at 1660 Peachtree Street.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION I (CONT'D)**

**RESOLUTIONS/CLAIMS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (CONT'D)**  
**MICHAEL J. BOND, CHAIR**

**Claims with unfavorable recommendations: (Cont'd)**

- 12-R-0871 (19) Claim of **Heath McSwain (DPW/05)**, for property damage alleged to have been sustained as a result of a vehicular accident on March 23, 2011 at 4605 Fulton Industrial Boulevard.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0872 (20) Claim of **Kary Noeth (DPW/08)**, for property damage sustained from striking a trash receptacle on September 2, 2010 at 1800 Mt. Paran Road.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0873 (21) Claim of **Deborah Nothelfer (DWM/02)**, for personal injury alleged to have been sustained on August 1, 2010 at 1158 Euclid Avenue.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-R-0874 (22) Claim of **Bensie Watkins, through her attorney, Foy & Associates (DWM/04)**, for personal injury alleged to have been sustained on March 13, 2010 at 1233 Kenilworth Drive.  
**ADVERSE AS AMENDED ON CONSENT BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

# **CONSENT AGENDA SECTION II**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA**

**SECTION II**

**ORDINANCES FOR FIRST READING**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE**

**MICHAEL J. BOND, CHAIR**

**All items on Consent Agenda Section II; (1) through (09) as follows, were Referred to the appropriate Committees by a single roll call vote of 12 yeas** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays.*

- 12-O-0885 ( 1)      An Ordinance by **Public Safety and Legal Administration Committee** to accept a Sub-Grant from the Georgia Emergency Management Agency ("GEMA"), to aid the City of Atlanta's ongoing efforts to protect itself from terrorist attacks, through the purchase of specialized supplies and equipment for the Department of Police ("Department"), and to amend the 2012 (Intergovernmental Grant Fund) Department Police Budget, by adding to anticipations and appropriations in the amount of \$1,250,000.00; and for other purposes.  
**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**FINANCE/EXECUTIVE COMMITTEE**

**FELICIA A. MOORE, CHAIR**

- 12-O-0878 ( 2)      An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer to amend the FY 2013 Budget by adding to Anticipations and Appropriations funds in the amount of \$1,132,000.00, for funding of the Atlanta Streetcar Transit Enhancements Project through a Livable Centers Initiative Grant; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**



Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (CONT'D)**

**FELICIA A. MOORE, CHAIR**

- 12-O-0879 ( 3)      An Ordinance by **Finance/Executive Committee** authorizing the Mayor to enter into Lease Agreements for the rentals of office space at the John C. Birdine, Dunbar and Georgia Hill Neighborhood Centers with various public and private agencies that provide valuable services to the surrounding communities at an annual rate of \$10.00 per square foot for a period of up to three (3) years with tenants to be determined in the sole discretion of the Office of Enterprise Assets Management; to waive provisions of Section 2-1547 of the City of Atlanta code of Ordinances that require solicitation for lease of City-owned property through a request for lease proposals process and annual revision of rental fees; to have fifty percent (50%) of all rental revenue deposited into the FDOA Numbers listed and fifty percent (50%) of all rental revenue deposited into the established Trust Fund Account for each neighborhood center; and for other purposes.  
**REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**CITY UTILITIES COMMITTEE**

**NATALYN M. ARCHIBONG, CHAIR**

- 12-O-0890 ( 4)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2004 Water and Wastewater Bond Fund 5058) Budget, in the amount of \$20,618,174.03); to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**
- 12-O-0891 ( 5)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (Water and Wastewater Renewal & Extension Fund 5052) Budget, in the amount of \$10,234,144.46); to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**CITY UTILITIES COMMITTEE (CONT'D)**

**NATALYN M. ARCHIBONG, CHAIR**

- 12-O-0892 ( 6)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2009A Water and Wastewater Bond 5066) Budget, in the amount of \$3,552,539.13); to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

- 12-O-0893 ( 7)      An Ordinance by **City Utilities Committee** authorizing the Chief Financial Officer to amend the FY 2013 (2001 Water and Wastewater Bond Fund 5057) Budget, in the amount of \$2,461,158.26); to transfer funds from Realigned, Postponed or Discontinued Projects to the Capital Projects Reserve for Appropriations; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

**JOYCE SHEPERD, CHAIR**

- 12-O-0889 ( 8)      An Ordinance by **Community Development/Human Resources Committee** authorizing the Mayor to accept and sign a supplemental grant agreement with the United States Environmental Protection Agency in the amount of \$350,000.00 for the Brownfield Revolving Loan Fund Program; amending the 2012 (Intergovernmental Grant Fund) Budget by adding to anticipations and appropriations in the amount of \$350,000.00; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**CONSENT AGENDA (CONT'D)**

**SECTION II (CONT'D)**

**ORDINANCES FOR FIRST READING (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (CONT'D)**  
**JOYCE SHEPERD, CHAIR**

- 12-O-0904 ( 9)      An Ordinance by **Community Development/Human Resources Committee** to facilitate the Department of Watershed Management's completion of the Peachtree Creek Project on the schedule required under the First Amended Consent Decree, Civil Action File No. 1:98-CV-1956-TWT, by waiving Section 158-104(a)(3) of the City of Atlanta Code of Ordinances; and for other purposes.  
**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

## **COMMITTEE REPORTS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (1)**  
**MICHAEL J. BOND, CHAIR**

Attendance at the June 26, 2012 meeting of the Public Safety and Legal Administration Committee was as follows:

Present: Councilmembers Bond (Chair), Martin, Wan and Willis

Absent: Councilmembers Young, Sheperd and Winslow

**RESOLUTIONS**

12-R-0867 ( 1) Claim of **Ronald Taylor (DPW/12)**, for damage alleged to have been sustained from an automobile accident on March 12, 2012 at Mecaslin Street and Richards Street.

**\$612.49**

**FILED BY A ROLL CALL VOTE OF 12 YEAS;** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis; 0 NAYS*

12-R-0886 ( 2) A Resolution by **Public Safety and Legal Administration Committee** authorizing the settlement of all claims against the City of Atlanta in the case of Wendy Lockett v. City of Atlanta, Civil Action File Number 2009EV007775D, pending in Fulton County State Court, in the amount of \$475,000.00 (The "Settlement Amount"); authorizing the settlement amount to be charged to and paid from Fund, Center Number, Account and Functional Activity Number listed; authorizing the Chief Financial Officer to distribute the settlement amount; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 12 YEAS;** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis; 0 NAYS*

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE (2)**  
**MICHAEL J. BOND, CHAIR**

**ITEM REMOVED FROM CONSENT AGENDA**

12-R-0888 ( 1)      A Resolution by **Public Safety and Legal Administration Committee** authorizing the Mayor to enter into a new Lease Agreement with Vine City Plaza I, LLC, for the rental of 1707 square feet of office space located at 612 Magnolia Street, Atlanta, Georgia, for the Department of Police Zone One Investigations Mini Precinct, from the period of September 1, 2012, until August 31, 2015, at a rental rate of \$1.00 for the year, to be charged to and paid from Fund, Account and Center Number listed; and for other purposes.

**The above item was removed from the Consent Agenda by request of Councilmember Young. Mr. Young was recognized and made a Substitute Motion to Refer resolution 12-R-0888 back to the Public Safety and Legal Administration Committee. It was Seconded by Councilmember Winslow and CARRIED by a roll call vote of 11 yeas; 0 nays.**

**REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF 11 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin and Bond); 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (1)**  
**ALEX WAN, CHAIR**

Attendance at the June 27, 2012 meeting of the Zoning Committee was as follows:

Present: Councilmembers Wan (Chair), Smith, Willis, Shook and Watson

Absent: Councilmembers Bottoms and Young

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS**

**Ordinances; (1) through (02) as follows, were Adopted by a single roll call vote of 11 yeas** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin and Willis); 0 nays.*

12-O-0453 ( 1)  
Z-12-18                      An Ordinance by **Councilmember Alex Wan** to zone property located at **1206 McLynn Avenue** to the R-4 (Single Family Residential) Zoning District; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

12-O-0780 ( 2)  
Z-12-22                      An Ordinance by **Councilmembers Clela Winslow and Michael Julian Bond** to amend Section 16-28A.010(48) of the Sign Ordinance of the City of Atlanta regulating signs in Subarea 8 the Historic West End/Adair Park Special Public Interest District (SPI-21), so as to provide for monument signs for large buildings and allow changing signs on monument signs for performing arts facilities; and for other purposes.  
**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS; 0 NAYS**

12-O-0609 ( 3)  
Z-12-07                      A **Substitute** Ordinance by **Zoning Committee** to rezone from the RG-3 (Residential General Sector 3) District to the RG-4-C (General Residential- Sector 4-Conditional) District, property located at **77 East Andrews Drive (aka 3300), N.W.** fronting approximately 497 feet on the north side of East Andrews Drive beginning approximately 672 feet from the northwest corner of Roswell Road. Depth: varies; Area: approximately 13.6 acres; Land Lot 99, 17<sup>th</sup> District, Fulton County, Georgia. Owner: Camden USA, Inc.; Applicant: Camden USA, Inc.; NPU-B Council District 8.  
**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 11 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin and Willis); 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (2)**  
**ALEX WAN, CHAIR**

**ZONING REVIEW BOARD SUMMARY REPORT ITEMS (CONT'D)**

**Ordinances; (4) through (05) as follows, were Adopted as Amended by a single roll call vote of 11 yeas** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin and Willis); 0 nays.*

12-O-0614 ( 4)  
U-12-10      An **Amended** Ordinance by **Zoning Committee** granting a Special Use Permit pursuant to Section 16-11.005 (1)(L) for outdoor dining at eating and drinking establishments when any part of such use is located within 1,000 feet of property zoned at R-1 through R-5, or that is used as a residential property. Property is located at **991 Piedmont Avenue, N.E. (aka 989 Piedmont Avenue, N.E.)** and fronts approximately 43 feet on the east side of Piedmont Avenue and at the intersection of Piedmont Avenue and 10<sup>th</sup> Street. Depth: approximately 89 feet; Area: approximately 1.31 acres; Land Lot 106 17<sup>th</sup> District, Fulton County, Georgia. Owner: Joseph M. Davis; Applicant: Gilbert Yeremian; NPU-E Council District 6.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**

12-O-0611 ( 5)  
Z-12-09      An **Amended** Ordinance by **Zoning Committee** to amend Ordinance 99-O-0886 which rezoned property located at **2862 Lenox Road, N.E.** from the R-3 (Residential) District to PD-H (Planned Development Housing) District, for the purpose of a site plan amendment.

**ADOPTED AS AMENDED BY A ROLL CALL VOTE OF 11 YEAS;**  
**0 NAYS**



Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**ZONING COMMITTEE (3)**  
**ALEX WAN, CHAIR**

**ORDINANCE FOR SECOND READING**

11-O-1686 ( 1)  
U-11-42

An Ordinance by **Zoning Committee** to grant a Special Use Permit pursuant to Section 16-06.005(l)(b) for a Daycare Center, property located at **260 West Lake Avenue, NW**, approximately 132 feet on the west side of West Lake Avenue and approximately 373 feet northwesterly of the intersection of Ezra Church and West Lake Avenue. **(Adverse by Zoning Committee 2/29/12) (Referred back by Council 3/5/12) (Held 3/14/12) (Referred back to ZRB 6/27/12)**

Depth:	Varies
Area:	Approximately 0.489 Acre
Land Lot:	147, 14 <sup>th</sup> District, Fulton County, Georgia
Owner:	GBG Management Company
Applicant:	Lashana T. Glasper
NPU-J	Council District 3

**REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE BY A ROLL CALL VOTE OF 12 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**TRANSPORTATION COMMITTEE (1)**

**C. T. MARTIN, CHAIR**

Attendance at the June 27, 2012 meeting of the Transportation Committee was as follows:

Present: Councilmembers Martin (Chair), Moore, Adrean, Archibong and Smith

Absent: Councilmembers Bottoms and Bond

**RESOLUTION**

12-R-0830 ( 1) A Resolution by **Transportation Committee** authorizing the Mayor to award and execute Two Concessions Agreements, FC-5190 Personal Services SPA No. 1 on Concourses T, B and D with Terminal Getaway Spa Atlanta, JV, LLC and FC-5304 Personal Services Spa No. 2 on Concourses D, E and F with XpressSpa Atlanta Terminal A, LLC, to provide personal spa services at Hartsfield-Jackson Atlanta International Airport; and for other purposes.

**ADOPTED BY A ROLL CALL VOTE OF 11 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan,**  
**Shook, Adrean, Martin, Bond and Willis); 1 NAY (Councilmember**  
**Moore**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**FINANCE/EXECUTIVE COMMITTEE (1)**  
**FELICIA A. MOORE, CHAIR**

Attendance at the June 27, 2012 meeting of the Finance/Executive Committee was as follows:

Present: Councilmembers Moore (Chair), Shook, Martin, Adrean and Hall

Absent: Councilmembers Bond and Watson

**ORDINANCE FOR SECOND READING**

**Ordinance (12-O-0570) and Resolution (12-R-0877); as follows, were Filed by a single roll call vote of 12 yeas** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays.*

12-O-0570 ( 1) An Ordinance by **Finance/Executive Committee** authorizing the Chief Financial Officer or his designee to authorize the Department of Public Works to utilize the existing Sidewalk Trust Fund Account for Infrastructure Recovery, by accepting and depositing funds received as a result of infrastructure claims filed by the City of Atlanta against insurance providers and persons that are liable to the City as a result of damage to City infrastructure, and to use said funds to pay corresponding incurred expenses, in order to replace and/or repair the damaged infrastructure; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

**RESOLUTION**

12-R-0877 ( 1) A Resolution by **Finance/Executive Committee** authorizing the Mayor, on behalf of the City of Atlanta to enter into Amendment Number 6 for FC-4714, Citywide HVAC Services with Honeywell, Inc. on behalf of the Executive Offices-Office of Enterprise Assets Management to add additional funding for HVAC Services at 72 Marietta Street for a Chiller Replacement, in an amount not to exceed \$435,870.00; to be charged to and paid from the FDOA Numbers listed; and for other purposes.

**FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMITTEE ON COUNCIL (CONT'D)**  
**YOLANDA ADREAN, CHAIR**

Attendance at the July 02, 2012 meeting of the Committee on Council was as follows:

Present: Councilmembers Adrean (Chair), Moore, Sheperd and Hall

Absent: Councilmembers Winslow, Bottoms and Archibong

**COMMUNICATION**

- 12-C-0845 ( 1) A Communication by **Councilmember Michael J. Bond** appointing Mr. Tom Jung to serve as a member of the Keep Atlanta Beautiful Commission. This appointment is for a term of two (2) years to begin on date of Council confirmation. **(Favorable by City Utilities Committee 6/26/12.)**  
**CONFIRMED BY A ROLL CALL VOTE OF 12 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 NAYS**

**ORDINANCE FOR FIRST READING**

- 12-O-0903 ( 1) An Ordinance by **Committee on Council** to amend the 2001 City of Atlanta Precincts and Polling Places in precincts 03B, 03C, 03H, 07B, 07C, 07J and 07N as a result of permanent relocations due to closing of facilities; inadequate parking; polling place no longer available and conflicts with existing polling place; and for other purposes.  
**REFERRED TO COMMITTEE ON COUNCIL BY A ROLL CALL VOTE OF 12 YEAS;**  
**(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 NAYS**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**CITY UTILITIES COMMITTEE (1)**

**NATALYN M. ARCHIBONG, CHAIR**

Attendance at the June 26, 2012 meeting of the City Utilities Committee was as follows:

Present: Councilmembers Archibong (Chair), Martin, Adrean, Smith, Watson and Willis

Absent: None

**The Council's standing City Utilities Committee did not deliver a report at this meeting.**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (1)**  
**JOYCE SHEPERD, CHAIR**

Due to the lack of an anticipated quorum at the Regularly Scheduled meeting of the Community Development/Human Resources Committee on June 26, 2012, the committee rescheduled its meeting to June 28, 2012 at 10:00 a.m. Attendance at the June 28, 2012 meeting of the Community Development/Human Resources Committee was as follows:

Present: Councilmembers Sheperd (Chair), Wan, Shook and Young

Absent: Councilmembers Hall and Winslow

**ORDINANCE FOR SECOND READING**

12-O-0712 ( 1) A **Substitute** Ordinance by **Community Development/Human Resources Committee** authorizing funding for Various Grant Positions under the 2012 (Community Development (CDBG) Budget, 2012 Emergency Solutions ("ESG") Budget, 2012 HOME Investment ("HOME") Budget and the 2012 Housing Opportunities for Persons with AIDS ("HOPWA"); and for other purposes.

**Note: Councilmembers Wan and Young stated for the record their abstention to ordinance 12-O-0712 was due to a potential conflict of interest. Mr. Wan's abstention (his employer receives HOPWA) and Mr. Young's abstention (wife works with the program where funds will be handled).**

**The original Adopt on Substitute vote of ordinance 12-O-0712 was 11 Yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays; 1 Abstention (Councilmember Wan); however, Councilmember Young made a Motion to Reconsider the ordinance. It was properly Seconded and CARRIED by a roll call vote of 11 yeas; (Councilmembers Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays. The item was before Council. Mr. Wan was then recognized and made a Motion to Adopt on Substitute. It was Seconded by Councilmember Shook and CARRIED by a roll call vote of 8 yeas; 0 nays; 2 abstentions.**

**ADOPTED SUBSTITUTE BY A ROLL CALL VOTE OF 8 YEAS; (Councilmembers Hall, Archibong, Shook, Adrean, Moore, Martin, Bond and Willis); 0 NAYS; 2 ABSTENTIONS (Councilmembers Young and Wan).**

Council President Ceasar C. Mitchell Presided

**COMMITTEE REPORTS (CONT'D)**

**COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE (2)**  
**JOYCE SHEPERD, CHAIR**

**RESOLUTIONS**

**Resolutions; (1) through (02) as follows, were Filed by a single roll call vote of 12 yeas** *(Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis); 0 nays.*

12-R-0017 ( 1)      A **Substitute** Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into Amendment Agreement No. 2 with Ed Castro Landscape, Inc., for FC-5068, Annual Contract for Landscaping Services for various parks on behalf of the Department of Parks, Recreation and Cultural Affairs, in an amount not to exceed \$400,000.00; all contracted work will be charged to and paid from the Project Task Award Expenditure Account and Organization Numbers and Fund Department Organization and Account Numbers listed herein; and for other purposes.  
**FILED SUBSTITUTE BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

12-R-0816 ( 2)      A Resolution by **Community Development/Human Resources Committee** authorizing the Mayor to enter into a Neighborhood Stabilization Program Contractual Agreement with Real Estate Alliance Partners Group, LLC for the redevelopment of abandoned and foreclosed homes and residential properties; in an amount not to exceed \$215,000.00 for a term of eighteen (18) months; all work to be charged to and paid from accounts listed below; and for other purposes.  
**FILED BY A ROLL CALL VOTE OF 12 YEAS; 0 NAYS**

# **PERSONAL PAPERS**



Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS**

**RESOLUTIONS/ADOPTED**

12-R-0956 ( 1) A Resolution by Councilmembers **H. Lamar Willis, Michael Julian Bond, Ivory Lee Young, Jr., Cleeta Winslow, Alex Wan, Yolanda Adrean, Kwanza Hall and Carla Smith** a resolution of the City Council of the City of Atlanta, Georgia supporting the Regional Transportation Referendum-Local Investment Framework; and for other purposes.

**Councilmember Willis made a Motion to Adopt. It was Seconded by Councilmember Hall and the Motion CARRIED by a roll call vote of 10 yeas; 1 nay.**

**ADOPTED BY A ROLL CALL VOTE OF 10 YEAS;** *(Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Bond and Willis);* **1 NAY** *(Councilmember Martin)*

12-R-0957 ( 2) A Resolution by **Councilmember H. Lamar Willis** authorizing the Chief Financial Officer to refund Nine Hundred Forty Thousand Dollars and No Cents (\$940,000.00) to Professional Account Management LLC, D/B/A ParkAtlanta for excess payments made to the City of Atlanta for operation of the City's parking meter program pursuant to the Professional Services Agreement FC-4877; all funds shall be charged to and paid from Fund Department Organization Account Number listed herein; and for other purposes.

**Councilmember Willis made a Motion to Adopt resolution 12-R-0957. It was Seconded by Councilmember Martin and CARRIED by a roll call vote of 8 yeas; 4 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 8 YEAS;** *(Councilmembers Smith, Young, Winslow, Shook, Adrean, Martin, Bond and Willis);* **4 NAYS** *(Councilmembers Hall, Archibong, Wan and Moore).*

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/ADOPTED (CONT'D)**

12-R-0958 ( 3)

A Resolution by **Councilmembers C. T. Martin, Kwanza Hall, H. Lamar Willis, Cleta Winslow and Ivory Lee Young, Jr.** authorizing the Mayor or his designee, on behalf of the City of Atlanta, to enter into an Intergovernmental Agreement with the City of Charlotte, North Carolina, for the provision of Atlanta Police Department Law Enforcement Personnel and Services to the City of Charlotte, North Carolina, as it hosts the 2012 Democratic National Convention, from August 28, 2012 through September 7, 2012 ("Event Period"); and for other purposes.

**Councilmember Martin made a Motion to Adopt the above resolution. It was properly Seconded and an extensive discussion ensued, during which, Councilmember Willis made a Motion to enter Committee of the Whole, but subsequently, withdrew his Motion. Discussion continued, in which, Councilmember Shook Called the Question. It was properly Seconded and FAILED by a Lack of Majority vote of 9 yeas; (Councilmembers Smith, Hall, Young, Winslow, Archibong, Shook, Moore, Martin and Willis); 2 nays; (Councilmembers Adrean and Bond). Following, the Motion to Adopt CARRIED by a roll call vote of 10 yeas; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Moore, Martin and Willis); 1 nay (Councilmember Archibong). A Motion was then made by Councilmember Moore to Reconsider resolution 12-R-0958. It was Seconded by Councilmember Wan and CARRIED by a roll call vote of 8 yeas; (Councilmembers Hall, Young, Winslow, Wan, Shook, Adrean, Moore and Willis); 2 nays; (Councilmembers Smith and Archibong); The resolution was before Council. After which, the Motion to Adopt CARRIED by a roll call vote of 9 yeas; 2 nays.**

**ADOPTED BY A ROLL CALL VOTE OF 9 YEAS; (Councilmembers Smith, Hall, Young, Winslow, Wan, Shook, Adrean, Martin and Willis); 2 NAYS; (Councilmembers Archibong and Moore).**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED**

12-O-0960 ( 1)      An Ordinance by **Councilmembers Ivory Lee Young, Jr., H. Lamar Willis, Yolanda Adrean, Felicia A. Moore, Michael Julian Bond, Kwanza Hall, Natalyn Archibong, Carla Smith, C. T. Martin, Cleta Winslow and Alex Wan** authorizing the Mayor, pursuant to Atlanta Code of Ordinances Chapter 2, Article X, Division 14, Subdivision II, Section 2-1544, to execute appropriate documents accepting a donation from the Atlanta Development Authority D.B.A. Invest Atlanta of approximately 4.7 acres of land as more particularly described in Exhibit "A" attached hereto for the purpose of developing the approximately sixteen-acre historic Mims Park; and authorizing the payment of outstanding encumbrances, fees and other costs in connection with due diligence, acceptance and development of the property in an amount not to exceed Four Hundred Eighty Eight Thousand Three Hundred Eighty Six Dollars and Ten Cents (\$488,386.10); and directing that all fees and costs be charged to and paid from the accounts listed below; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

12-O-0961 ( 2)      An Ordinance by **Councilmembers Ivory Lee Young, Jr., Cleta Winslow, Alex Wan, H. Lamar Willis, Yolanda Adrean, Michael Julian Bond, Felicia A. Moore, Kwanza Hall, Carla Smith, C. T. Martin and Natalyn Archibong** authorizing the Mayor, on behalf of the City, to enter into and execute a fifty year lease with the National Monuments Foundation, Inc., for approximately sixteen acres of city owned property, whereby the terms of the lease will include the foundation's development of historic Mims Park at no cost to the City, and the foundation's maintenance of the same; and authorizing the waiver of City Code Section 2-1547 regarding the procedures for leasing city-owned real property, for purposes of entering this lease, where said waiver is based upon the unique circumstances of the proposed park; and requiring certain prerequisite transactions to occur prior to executing the lease; and for other purposes.

**REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION**

12-O-0962 ( 3)      An Ordinance by **Councilmember Carla Smith** to remove parking restrictions on the south side of Georgia Avenue, S.E. between the intersections of Grant Terrace, S.E. and Grant Street, S.E. except for corner clearance requirements; and for other purposes.

**REFERRED TO TRANSPORTATION COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**ORDINANCES/REFERRED (CONT'D)**

12-O-0963 ( 4)      An Ordinance by **Councilmember Kwanza Hall** authorizing the installation of public art (John Lewis Mural Project) on the east wall of the 171 Auburn Avenue, Renaissance Walk Building, as pursuant to Code Section 16-28.025 of the 1982 Zoning Ordinance of the City of Atlanta; and for other purposes.

**REFERRED TO ZONING COMMITTEE WITHOUT OBJECTION**

12-O-0964 ( 5)      An Ordinance by **Councilmember Natalyn M. Archibong** authorizing the Mayor, or his designee, to accept infrastructure in the amount of \$2,148,00.00 from the Atlanta Gas Light Company for the purpose of building compressed natural gas vehicle fueling stations for the City of Atlanta; to execute a service agreement and an easement agreement with Atlanta Gas Light for each compressed natural gas station located on City property; to authorize automatic renewal of the initial term of the service agreement; to authorize the funding of related project costs for Fiscal Year 2013, on behalf of the Department of Public Works in an amount not to exceed Seven Hundred Fifty Thousand Dollars and No Cents (\$750,000.00); to be charged to and paid from FDOA: 5402 (Solid Waste R& E Fund) 130501 (DPW Solid Waste Administration) 5212001 (Consulting/Professional) 4510000 (Solid Waste Administration); and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

12-O-0966 ( 6)      An Ordinance by **Councilmembers Alex Wan and Joyce Sheperd** amending Chapter 110, Article III, Division 1, Section 110-55 of the City of Atlanta Code of Ordinances to add a definition of the term "smoking;" and Chapter 110, Article III, Division 1, Section 110-59 to add a new Subsection (H) that shall set forth the prohibition of smoking in all City of Atlanta parks; and for other purposes.

**REFERRED TO COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

**PERSONAL PAPERS (CONT'D)**

**RESOLUTIONS/REFERRED**

- 12-R-0965 ( 1) A Resolution by **Councilmember Natalyn Mosby Archibong** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$\_\_\_\_\_ as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards \_\_\_\_\_ pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.  
**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT OBJECTION**

**RESOLUTION/FAILED**

- 12-R-0967 ( 1) A Resolution by **Councilmember H. Lamar Willis** authorizing the Chief Financial Officer to refund Nine Hundred Forty Thousand Dollars and No Cents (\$940,000.00) to Professional Account Management LLC, D/B/A ParkAtlanta for excess payments made to the City of Atlanta for operation of the City's parking meter program pursuant to the Professional Services Agreement FC-4877; all funds shall be charged to and paid from Fund Department Organization Account Number listed herein; and for other purposes.

**Councilmember Willis made a Motion to Adopt resolution 12-R-0967. It was Seconded by Councilmember Martin. A discussion ensued, after which, the Motion to Adopt FAILED by the Lack of Majority vote of 7 yeas; 4 nays.**

**FAILED BY LACK OF MAJORITY VOTE 7 YEAS***(Councilmembers Smith, Young, Winslow, Shook, Adrean, Martin and Willis); 4 nays; (Councilmembers Hall, Archibong, Wan and Moore).*

# **ADJOURNMENT**

**Council President Ceasar C. Mitchell Presided**

**ADJOURNMENT**

There being no further business to discuss, the July 02, 2012 meeting of the Atlanta City Council was adjourned at 3:33 p.m.

**ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bond and Willis (12).**